



Practitioner's Docket No. U-012254-3

**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Ram PRATAP, et al

Serial No.: 09/316,313

Group No.: 1625

Filed: May 21, 1999

Examiner: E. Huang

For: METHOD FOR THE TREATMENT OF MALARIA BY THE USE OF PRIMARINE
DERIVATIVE N¹-(3-ETHYLIDINOTETRAHYDR-2-ONE)-N⁴-(6-METHOXY-8-
QUINOLINYL)-1,4-PENTANEDIAMINE AS GAMETOCYTOCIDAL AGENT

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**RESPONSE UNDER
37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
1600**

**Box AF
Assistant Commissioner for Patents
Washington, DC 20231**

NOTE: To take advantage of the expedited procedure the envelope in which this paper is mailed must be addressed as shown and must also be marked "Box AF" in the lower left hand corner. Alternatively, this paper can be hand carried to the particular Examining Group or other area of the Office in which the application is pending, in which case any envelope in which this paper is placed must be marked as in the bold type box above. Notice of Sept. 20, 1985 (1059 O.G. 19-20).

AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 CFR 1.116) for this application.

NOTE: Response to Final Rejection—Avoiding Extension Fees "In patent applications wherein a three month Shortened Statutory Period (SSP) is set for response to a Final Rejection, the response would best be filed within two months of the date of the Office Action. If filed within two months, any Advisory Action mailed after the SSP expires will reset the SSP to expire on the date of the Advisory Action for extension fee purposes, but never more than six months from the date of the Final Rejection." Notice of Nov. 30, 1990 (1122 O.G. 571 to 591).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: January 28, 2002

Signature

CLIFFORD J. MASS

(Type or print name of person certifying).



STATUS

2. Applicant is
- ☐ a small entity. A statement:
 - ☐ is attached.
 - ☐ was already filed.
 - ☒ other than a small entity.

EXTENSION OF TERM

NOTE: As to a Supplemental Amendment filed in response to a final office action, the Notice of December 10, 1985 (1061 O.G. 34-35) states:

"If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run."

3. *(complete (a) or (b), as applicable)*

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136
(fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$ 1,440.00	\$ 720.00

Fee: \$ _____

If additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for ____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.



FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col.1)		(Col.2)		(Col.3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
Claims		Highest No.		Present	Addit.		Addit.	
Remaining		Previously		Extra	Fee		Rate	
After		Paid For			OR			
Amendment								
Total	*	Minus	**	=	x \$ 9 =	\$	x \$18 =	\$
Indep.	*	Minus	***	=	x \$42 =	\$	x \$84 =	\$
[] First Presentation of Multiple Dependent Claim + \$140 = \$							+ \$280 = \$	
Total					OR		Total	
Addit. Fee \$							Addit. Fee \$	

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: See 37 CFR § 1.116.

(complete (c) or (d), as applicable)

(c) ☐ No additional fee is required.

OR

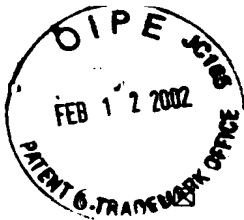
(d) ☐ Total additional fee required is \$ _____.

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____.
- ☐ Charge Account No. _____ the sum of \$ _____.
- A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: Where there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the case. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).



If any additional extension and/or fee is required, charge Account No. 12-0425

AND/OR

☒ If any additional fee for claims is required, charge Account No. 12-0425



SIGNATURE OF PRACTITIONER

CLIFFORD J. MASS

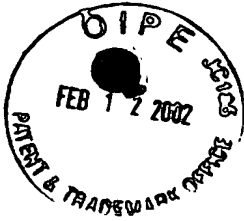
(Type or print name of practitioner)

Reg. No. 30,086

Tel. No.: (212) 708-1890

P.O. Address
c/o Ladas & Parry
26 West 61 Street
New York, NY 10023

Customer No.:



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Assistant Commissioner for Patents
Washington, DC 20231

TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION—37 CFR 1.192)

1. Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on July 26, 2001.

NOTE: "Appellant must, within two months from the date of the notice of appeal under § 1.191 or within the time allowed for reply to the action from which the appeal was taken, if such time is later, file a brief in triplicate...." 37 CFR 1.192(a) (emphasis added)

2. STATUS OF APPLICANT

This application is on behalf of

- [X] other than a small entity.
[] a small entity.

A statement:

- [] is attached.
[] was already filed.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Date: January 28, 2002

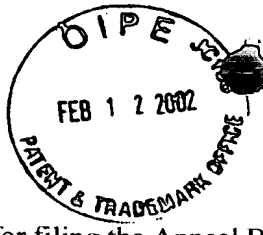
FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

CLIFFORD J. MASS

(Type or print name of person certifying)



3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 CFR 1.17(c), the fee for filing the Appeal Brief is:

- ☐ small entity \$160.00
☒ other than a small entity \$320.00

Appeal Brief fee due \$320.00

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4. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.192(a) are subject to the provision of § 1.136 for patent applications. 37 CFR 1.191(d). See also Notice of November 5, 1985 (1060 O.G. 27).

NOTE: As the two-month period set in § 1.192(a) for filing an appeal brief is not subject to the six-month maximum period specified in 35 USC 133, the period for filing an appeal brief may be extended up to seven months. 62 F.R. 53131, at 53156, October 10, 1997.

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(5)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$205.00
<input type="checkbox"/>	three months	\$ 920.00	\$460.00
<input checked="" type="checkbox"/>	four months	\$1,440.00	\$720.00
<input type="checkbox"/>	five months	\$1,960.00	\$980.00

Fee \$1,440.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

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5. TOTAL FEE DUE

The total fee due is: \$1,760.00

Appeal brief fee \$ 320.00

Extension fee (if any) \$ 1,440.00

TOTAL FEE DUE \$ 1,760.00

6. FEE PAYMENT

☒ Attached is a check in the sum of \$1760.00.

☐ Charge Account No. 12-0425 the sum of \$ _____.

A duplicate of this transmittal is attached.

7. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in resuming the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to change the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G 31-33.

☒ If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 12-0425

AND/OR

☒ If any additional fee for claims is required, charge Account No. 12-0425.

SIGNATURE OF PRACTITIONER

CLIFFORD J. MASS

(Type or print name of practitioner)

Reg. No. 30,086

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